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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,983	03/31/2004	Hashem Mohammad Ebrahimi	1565.069US1	9751
21186 7590 08/22/2007 SCHWEGMAN, LUNDBERG & WOESSNER, P.A. P.O. BOX 2938 MINNEAPOLIS, MN 55402			EXAMINER GYORFI, THOMAS A	
			ART UNIT 2135	PAPER NUMBER
			MAIL DATE 08/22/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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<b>Office Action Summary</b>	<b>Application No.</b> 10/814,983	<b>Applicant(s)</b> EBRAHIMI ET AL.	
	<b>Examiner</b> Tom Gyorfi	<b>Art Unit</b> 2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-26 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                               | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                      | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |



### **DETAILED ACTION**

1. Claims 1-26 are pending examination.

#### ***Information Disclosure Statement***

2. The information disclosure statement filed 3/31/04 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. Specifically, Applicant has not provided a copy of the "Webstar Security Toolkit: Troubleshooting" reference. It has been placed in the application file, but the omitted reference referred to therein has not been considered.

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:  

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 13 and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 13 and 14 refer to interactions and communications transmitted "between the *method* and the external domain" [emphasis added]. This limitation is indefinite because the method itself performs no such interactions; rather, one or more of the components of said method (presumably the local domain accelerator, as seen in analogous claim 17 for example) do so.



***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Birrell et al. (U.S. Patent 5,805,803) in view of "Improving End-to-End Performance of the Web Using Server Volumes and Proxy Filters" (hereinafter, "Cohen").

Regarding claim 1:

Birrell discloses a method comprising: receiving a secure communication request from a client (col. 4, lines 5-20); identifying a domain identification associated with the request (Ibid); and routing the request to a proxy based on the domain identification, wherein the proxy communicates securely with the external domain and securely with the client (col. 4, lines 15-30).

Birrell does not disclose wherein the proxy caches data from the external domain for servicing the request of the client. However, Cohen discloses that it was well known in the art prior to the instant invention that the proxies could cache Web content, in effect accelerating the overall experience by reducing latency (page 241, paragraph beginning "Previous research..."; cf. pages 250-251, "4. Web Proxy Applications"). Thus, the claim is obvious because all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed with no change



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in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time the invention was made.

Regarding claim 8:

Birrell discloses a method comprising: receiving a secure request forwarded from a proxy, the secure request originating from a client and destined for an external domain (col. 4, lines 5-15; cf. col. 3, lines 5-15); establishing a secure communication with the client by providing the client a certificate associated with an external domain (col. 4, lines 35-45); and servicing the client with data that is acquired from the external domain, and wherein a portion of that data is used to service the request (col. 4, lines 45-50). Birrell does not disclose using a local cache to provide data acquired from the external domain. However, Cohen discloses that it was well known in the art prior to the instant invention that the proxies could cache Web content, in effect accelerating the overall experience by reducing latency (page 241, paragraph beginning "Previous research..."; cf. pages 250-251, "4. Web Proxy Applications"). Thus, the claim is obvious because all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time the invention was made.



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Regarding claim 15:

Birrell discloses a system comprising: a proxy (element 143 of Figure 1); and a local domain accelerator (col. 2, lines 29-31) wherein a client securely requests an external domain and the proxy routes the request to the local domain accelerator [i.e. itself], the local domain accelerator securely communicates with the external domain and services the client via secure communications between the local domain accelerator and the client (col. 2, lines 20-60).

Birrell does not disclose wherein the proxy maintains a local cache with which to service the client. However, Cohen discloses that it was well known in the art prior to the instant invention that the proxies could cache Web content, in effect accelerating the overall experience by reducing latency (page 241, paragraph beginning "Previous research..."; cf. pages 250-251, "4. Web Proxy Applications"). Thus, the claim is obvious because all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time the invention was made.

Regarding claim 21:

Birrell discloses a system comprising: a local domain accelerator (element 140 of Figure 1; cf. col. 2, lines 29-31); and wherein the local domain accelerator securely communicates with a client as if the local domain accelerator was an external domain



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[i.e. a proxy] and securely communicates with the external domain for purposes of acquiring data from the external domain (col. 2, lines 20-60).

Birrell does not explicitly disclose a cache for housing the data in and vending the data to the client. However, Cohen discloses that it was well known in the art prior to the instant invention that the proxies could cache Web content, in effect accelerating the overall experience by reducing latency (page 241, paragraph beginning "Previous research..."; cf. pages 250-251, "4. Web Proxy Applications"). Thus, the claim is obvious because all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time the invention was made.

Regarding claims 2 and 19:

Birrell further discloses one of a forward proxy and a transparent proxy (col. 2, lines 45-50).

Regarding claims 3, 16, and 23:

Birrell further discloses returning, by the local domain accelerator, to the client a domain certificate that identifies the local domain accelerator as the external domain to the client (col. 4, lines 35-40).



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Regarding claims 4 and 18:

Birrell further discloses establishing a Secure Sockets Layer (SSL) handshake between the client and the local domain accelerator to service the request, wherein the client believes that the handshake is with external domain (col. 3, lines 5-15 & 55-60).

Regarding claim 5:

Birrell further discloses intercepting the request that originates from the client to the external domain (col. 4, lines 13-17).

Regarding claims 6 and 10:

Cohen further discloses accessing, by the local domain accelerator, caching services for caching and managing the data (page 241, 2<sup>nd</sup> column).

Regarding claim 7:

Birrell further discloses wherein stripping a host header from the request, host header being the domain identifier that identifies the external domain (col. 5, lines 1-10).

Regarding claim 9:

Birrell further discloses acting as the external domain when interacting with the client (i.e. a conventional proxy server, as per col. 4, lines 45-50).



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Regarding claim 11:

Cohen further discloses acquiring at least a portion of the data from the external domain in advance of a subsequent request for that portion of the data, wherein the subsequent request is issued from the client (page 250, "Prefetching").

Regarding claim 12:

Birrell further discloses interacting securely with the external domain to acquire the data housed in the local cache (col. 4, lines 50-60).

Regarding claims 13 and 17:

Birrell further discloses wherein interacting securely further includes mutually signing interactions transmitted between the local domain accelerator and the external domain (col. 4, lines 30-60; Official Notice: mutually signing interactions is intrinsically part of the SSL protocol – see the enclosed RFC2246 reference, e.g. page 41).

Regarding claim 14:

Birrell further discloses using the proxy to establish a secure communications channel between the local domain accelerator and the external domain (col. 4, 50-60).



Regarding claims 20 and 22:

Birrell further discloses wherein the proxy creates a secure communications tunnel between the client and the local domain accelerator and the proxy creates a secure communications channel between the local domain accelerator and the external domain (col. 4, lines 45-65).

Regarding claim 24:

Examiner once again takes Official Notice that SSL by definition requires an exchange of certificates during communications between two parties (see RFC2246, e.g. page 23, "peer certificates").

Regarding claim 25:

Birrell further discloses wherein the client is a browser (col. 3, lines 20-25), uses SSL (col. 3, lines 5-10), and the local domain accelerator intercepts and forwards communications toward a proxy and the proxy forwards communications to the local domain accelerator where the local domain accelerator presents itself securely to the client as if it were the external domain (col. 4; lines 30-60).

Regarding claim 26:

Birrell further discloses a plurality of external sites featuring a plurality of services (col. 3, lines 15-20).

***Conclusion***



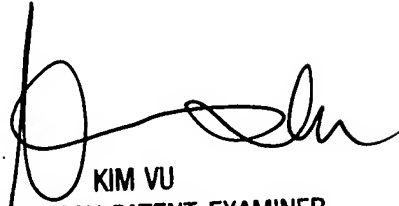
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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom Gyorfi whose telephone number is (571) 272-3849. The examiner can normally be reached on 8:30am - 5:00pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TAG  
8/3/07

  
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